



**Missouri Department of
Natural Resources
Administrative Policies and Procedures**

Chapter 1 Employee Relations

Conduct and Ethics Policy

Effective date

Revised

Number: 1.01

August 4, 2003

March 3, 2014

All Department of Natural Resources (DNR) employees will strive to work with ethics above question and conduct themselves reflecting the trust given staff by the people of Missouri to protect and enhance Missouri's natural, cultural, energy and recreational resources. The department maintains policy and standards regarding employee behavior and conduct which are necessary for the efficient operation of the agency and for the benefit and safety of its employees and the public.

We take our responsibility of stewardship to protect and enhance the environment in which we work and live seriously, and will consider all aspects of the environment when making decisions. In providing public service we value:

- Integrity and excellence in all we do
- Openness to every point of view
- Diversity in people and approach

The following specific areas are covered in this policy:

- General provisions
- Arrest, conviction or pleas of guilty
- Confidential information
- Gratuities
- Witness Fees
- Staff using their official position with the department
- Non-retaliation
- Solicitation at the workplace
- State facilities, materials, equipment and supplies
- Staff responsibilities
- Supervisor responsibilities
- Conflict of interest
- Religious Accommodations
- Employment outside the department

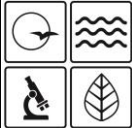
REFERENCES

Public Officers and Employees – Miscellaneous Provisions RSMo Chapter 105

House Bill 600, Tax Compliance – RSMo Chapter 105.262

Rules of Office of Administration – 1 CSR 20-3.070 (2)

Conflicting Employment 1 CSR 20-1.040 (3)

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Executive Order 92-04, Code of Conduct

Missouri registered lobbyist, RSMo Chapter 105.470

Related statewide policies <http://oa.mo.gov/commissioners-office/policies/statewide>

SP-10 State of Missouri Background Checks Policy

SP-13 Statewide Policy for Employee of Conduct

Related DNR policies

Affirmative Action and Employee Relations 1.02

Discipline Policy 1.08

Hiring and Promotions 4.01

Internet Acceptable Use 2.03

Use of State Vehicles 6.01

Communications 2.01

Sexual Harassment Complaint Procedures 1.02-07

Discrimination Complaint Procedures 1.02-03

Some Department employees may be subject to further provisions, including but not limited to:

U.S. Office of Management and Budget Circulars, Code of Conduct policies

American Bar Association rules

Oath of Office – Private Consulting Prohibited - RSMo Chapter 256.040

Various provisions related to Geology, Water Resources and Geodetic Survey RSMo Chapter 256.450 through 256.483

Various provisions related to Architects, Professional Engineers, Land Surveyors and Landscape

Architects RSMo Chapter 327.011 through 327.635

Energy Information, Confidentiality – RSMo Chapter 640.155

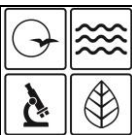
Attorneys at Law RSMo Chapter 484

Missouri Board for Architects, Professional Engineers and Professional Land Surveyors. 4 CSR 30-2 Chapter 2 Code of Professional Conduct

Missouri Board of Geologist Registration - 4 CSR 30-145 Chapter 4 Code of Professional Conduct

DEFINITIONS

Appointing authority: A person with the authority to approve hiring staff and to approve or deny other personnel related transactions. In the department, the appointing authority to direct personnel action is the Human Resources Program Director.

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Equipment, materials and supplies: Department leased or owned equipment, materials and supplies including but not limited to: cell phones, telephones, computer hardware and software, state vehicles, office supplies, copiers.

Gratuity: Any gift, favor, entertainment, hospitality, loan, any other tangible item, and any intangible benefit, such as a pass or discount, given or extended to department personnel or their spouses, minor children or members of their households for which fair market value is not paid by the recipient or the State of Missouri.

Lobbyist: For the definition of a Missouri registered lobbyist, refer to RSMo 105.470.

Official file: An employee's official personnel file maintained by the Human Resources Program.

Regulated entity: Any individual, business, political subdivision, state or federal agency or institution regulated by the department according to state law.

Supervisor: An individual who directly supervises the work of another employee such as approving time sheets or leave requests, conducting performance appraisals and/or recommending disciplinary action.

GENERAL PROVISIONS

The work of the department will be conducted with respect, concern and courtesy toward clients, coworkers and the public. Staff shall approach their duties in a positive manner with dedication, compassion, and will constructively support open communication. Staff shall conduct their duties recognizing the diverse background, characteristics and beliefs of all those with whom they conduct state business.

This policy is not intended to cover every aspect of employee conduct. All DNR employees are expected to use sound judgment with regard to their own conduct on the job and the performance of their assigned duties. Employees must refrain from off duty conduct that tends to bring state service into public disrepute, involves moral turpitude or negatively affects the employee's job performance.

Employees of the department:

- Will avoid any interest or activity that improperly influences the conduct of their work or an employee's ability to act with objectivity in their work.
- Shall act impartially and neither give nor accept special favors or privileges which might be construed to improperly influence the performance of their work or the work of others.
- Shall not allow political participation or affiliation to improperly influence the performance of their duties to the public.
- Shall comply with laws, rules, policies and procedures at all times.
- Shall avoid any action that might result in losing independence or impartiality in decision making or adversely affecting public confidence in the integrity of the department.



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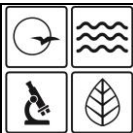
The following actions are considered unprofessional and inappropriate for DNR employees:

- The use of profanity, abusive or threatening language, and/or slurs that may or may not be perceived as discriminatory.
- False or malicious gossip concerning visitors, department employees, management, citizens and industries.
- Fighting, assaulting, threatening and/or intimidating other employees, offenders, customers or other members of the public.
- Reporting for work and/or attending a meeting or conference away from the office in a physical or mental condition which is unsafe to the employee, others, or physical property; renders one incapable of performing job responsibilities; and/or creates an unfavorable public image including but not limited to intoxication and being under the influence of a controlled substance.
- Loitering, loafing, horseplay, sleeping and engaging in offensive and/or harmful practical jokes in the workplace.
- Engaging in any form of sexual or other harassment, including but not limited to vulgar and inappropriate behavior, sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature, or engaging in discrimination or harassment based on an individual's sex, age, race, color, national origin, ancestry, religion, disability, genetic information, sexual orientation, pregnancy, military status or any other basis protected by federal, state or local law. Disciplinary action will be taken against offenders. For more information refer to Policy 1.02-07 Sexual Harassment Complaint Procedures and Policy 1.02-03 Discrimination Complaint Procedures.
- Engaging in retaliation against any individual for reporting such discrimination or harassment as noted above, or against any individual for participating in an investigation concerning allegations of unlawful discrimination or harassment.
- Attempt to practice fraud or deception in securing benefits or grants from a state agency for self or another applicant.

DNR recognizes that the personal appearance of its employees makes an impact on the general impression conveyed to co-workers and the public. Accordingly, all employees are expected to dress in a mode appropriate to the specific job duties they perform. All employees must wear clothing that is clean and well maintained and should observe good grooming and personal hygiene practices. Management shall set standards for appropriate dress within their respective areas of authority according to the type of work performed.

Arrest, conviction or pleas of guilty

Staff must notify the Human Resources program director of any arrests, convictions or pleas of guilty, suspended execution of sentence or suspended imposition of sentence related to misdemeanor or felony offenses within five (5) days of the event. The Human Resources program director will notify the division director or designee, and they will determine the appropriate action for the reported violation. These or other circumstances may result in the need for a reference or criminal record review of the employee to determine if further action is warranted.



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An employee unable to work because he/she is in jail may be denied the use of annual leave. The employee may be dismissed due to unauthorized absence if he/she is unable to report for work due to jail time. The approval or denial of annual leave will be at the department's discretion for the purpose of serving time in jail following the final resolution of the employee's case. Such requests must be made in advance.

Confidential information

Department personnel shall not use or disclose, directly or indirectly, confidential information obtained in the course of or by reason of their employment or official capacity in any manner. Staff members who breach confidentiality will be subject to discipline as outlined in department policy.

Gratuities

Department personnel and their spouses, minor children and household members shall not knowingly accept, solicit, or agree to accept any gratuity for themselves, members of their families, or others, either directly or indirectly from or on behalf of a regulated entity or any other person or entity that:

- operates under a contract with the department or seeks to engage in business relations of any sort with the department;
- conducts operations or activities that are either regulated by the department or significantly affected by department decisions;
- has interests that may be substantially affected by the performance or nonperformance of the official duties of department personnel.

Department personnel who are offered gratuities of any dollar amount shall promptly report such circumstances to his/her immediate supervisor, unless otherwise noted below under Incidental gratuities.

The Office of Administration policy, SP-13 Statewide Policy for Employee Conduct, establishes guidelines for consistent standards to be followed by all State employees regarding the acceptance of money and gifts from registered lobbyists.

Incidental gratuities may be accepted under the following circumstances:

- unsolicited promotional items, such as calendars, cups, note pads, or pens, having a value of less than \$20.00;
- unsolicited trophies, entertainment, prizes, or awards given for public service or achievement, or in games or contests that are open to the public;
- unsolicited trophies, entertainment, prizes or awards provided by a regulated entity in connection with civic and community activities sponsored by a regulated entity when the involvement of the regulated entity is remote from its business purpose;
- meals and refreshments which are available to all attendees at meetings, conferences, or gatherings of public interest in which it is in the department's interest to participate;



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- attendance at promotional vendor training sessions offered by contractors to facilitate understanding or utilization of their products. Refreshments that are available to all attendees may be accepted.

Witness fees while serving in official DNR capacity

Employees who appear as witnesses in their official DNR capacities may not retain any witness fees. The time spent serving as a witness shall be considered work time. If witness fees are paid, employees must endorse the check with “pay to the order of the Department of Natural Resources” and forward the check and a copy of the subpoena or other official court document to the Accounting Program. Jury duty fees are allowed to be kept by the employee.

Staff using their official position with the department

Department staff shall not use their official positions to improperly induce, coerce, or in any manner improperly influence any person or regulated entity to provide any benefit, financial or otherwise, to themselves or others. Department staff shall not be abusive toward others in the performance of their official duties.

Non-retaliation

Staff will not retaliate against any outside party who questions or complains about an action by the department.

Allegations of retaliation will be investigated by the department as appropriate to the circumstances. Findings will be documented and appropriate action taken. Staff members found to retaliate are subject to discipline up to and including dismissal.

Solicitation at the workplace

Staff will not sell items or services commercially to fellow staff during working hours at the job location. Non-commercial sales of items for a charitable or educational purpose are not included. However, any charitable or educational fund raising events should be conducted with a minimum of effort or exposure.

State facilities, materials, equipment and supplies

Employees shall use and maintain all state equipment, materials and supplies in an efficient manner that will conserve future usefulness. Staff shall use state equipment, materials and supplies solely for purposes related to the performance of state business. This includes email and internet use. Please refer to the Communications Policy 2.01 for further information regarding email and internet use.

Staff shall not directly or indirectly use, take, dispose of, or allow the use, taking, or disposal of state facilities, material, equipment or supplies of any kind for other than official business or purposes.

Staff shall not willfully or neglectfully damage state facilities, material, equipment or supplies.



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The department discourages any use of personal equipment for work-related purposes. The department is not responsible for any operational, maintenance, or replacement costs of personal equipment used at work. Any employee who utilizes their personal wireless device to access their state email account must sign a Memorandum of Understanding and are subject to the terms of that memorandum. Such Memorandums of Understanding may be obtained through the Office of Administration (OA), Information Technology Services Division (ITSD). The Memorandum of Understanding Use of Personal Wireless Device to Access State E-Mail Account can be found at <http://n-nr1ntra.ads.state.mo.us/forms/documents/private-phone-mou.pdf>

Personal telephone calls from agency phones and/or personal use of cell phones during work hours should be made as reasonable and appropriate. The department may demand recompense for excessive personal calls, both for the cost of the call and any lost productivity in accordance with the departments Communications Policy 2.01.

An employee's work area may be searched for work-related reasons or in response to an alleged policy violation or criminal or civil infraction.

Employees are responsible for promptly reporting the loss of DNR property such as, laptops, external drives, keys, credit cards, state identification badges, and any other state owned or leased items. Upon termination of employment the prompt return of all DNR property is required.

All work products created and produced by department staff within the scope and course of their employment is the property of the department. Department personnel shall not copyright or otherwise claim personal ownership or control over such work product.

Staff responsibilities

Responsibilities of the department staff include, but are not limited to the following:

- Each department employee is responsible for his/her actions, including reading the administrative policies and procedures and working to carry out those provisions.
- Each employee shall cooperate with internal investigations and/or investigations with the appropriate authority. This specifically includes investigations by the Employee Relations Office and the Human Resources Program. Employees are to participate in such investigations in good faith and respond to all inquiries in a prompt and truthful manner.
- Employees must be attentive to their work responsibilities at all times during working hours, including but not limited to conferences, meetings and training sessions.
- Employees are to arrive to work on time and leave work on time according to their approved work schedule. Employees are to schedule and use leave appropriately with their supervisors' permission.
- Maintain sufficient annual and sick leave balances as defined by the employee's respective division. Other members of the employee's chain of command may also establish leave balance standards, as long as those standards are not in conflict with any that may be set by the division.



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- Employees may be allowed to periodically adjust their work schedules due to either work-related or personal events, with prior supervisory approval. If the employee does not receive prior supervisory approval for the temporary schedule adjustment, disciplinary action may be taken. For long-term schedule changes employees must make a request in writing, stating the reason for the change and submit through their chain of command to their Division Director or designee for determination.
- Employees must perform assigned tasks efficiently, in a timely manner, and within established minimum quality standards.
- All employees must follow legitimate written and/or oral directives from supervisors and managers, unless the instructions are illegal or clearly violate safety procedures. Such concerns should be immediately reported to Human Resources.
- Falsification or altering work records or reports, including, but not limited to, employment applications, time records, expense accounts, doctor's notes, etc. are prohibited.
- Employees must obtain and maintain any current license or certificate required by law, DNR or Office of Administration standards as a condition of employment. If revoked or otherwise lost or expired, employees must report to Human Resources within five days of their knowledge of such action. The department may receive periodic reports from entities identifying the status of licenses and certificates.
- Employees are to comply with all safety and health requirements, whether established by DNR or by federal, state or local law. For more information refer to Policy 3.09 Employee Health and Safety.
- Employees must comply with State Merit System Law and the Rules and Regulations of the Personnel Advisory Board.
- Employees are required to file all state income tax returns and pay all state income taxes owed. For more information, refer to RSMo 105.262.
- Employees may not utilize cell phones, camera phones or any electronic means to record internal interviews, meetings, etc unless otherwise allowed by policy or with management approval. DSP Ranger Program employees are permitted such use as necessitated and/or dictated by law enforcement policies and procedures. Additionally, the Human Resources Program and the Office of Employee Relations are also allowed to utilize recording devices when conducting workplace investigations.

Supervisor responsibilities:

- All supervisors will ensure that staff have access to all the administrative policies and procedures of the department and will work to carry out those provisions.
- Supervisors are responsible for providing all staff with a workplace that is conducive to productivity and free from harassment and other factors that could negatively impact employees including but not limited to verbal or physical abuse, threatening, humiliating or intimidating behavior or otherwise preventing employees from completing their work.
- Supervisors are required to immediately report all verbal and/or written allegations of sexual or other harassment to their chain of command and the Office of Employee Relations. See DNR Policies: Sexual Harassment Complaint Procedures 1.02-07 and Discrimination Complaint Procedures 1.02-03.



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- Supervisors will treat staff in a professional and respectful manner. Supervisors have the authority to control work and performance, provide constructive feedback and set reasonable goals.
- Supervisors are responsible for ensuring all staff are given reasonable opportunities to be successful in their positions, including but not limited to receiving adequate formal and informal training, resources, equipment, regular meetings with their supervisor, etc. Monitor and address attendance, conduct and performance issues of their staff in a timely and effective manner.

Religious Accommodations

DNR will, within reason, accommodate employees in their religious practices. Requests for such accommodations should be made through the employee's chain of command to the Office of Employee Relations. However, employees are not permitted to engage in any religious activity or practice in any office/facility which would be disruptive to other employees or members of the public.

Conflict of interest

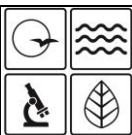
Department staff shall not engage in any personal, business, or professional activity or receive or retain any direct or indirect financial interest that places them in a position of conflict between their private interests and the public interests of the department related to the duties and responsibilities of their jobs. The division director or designee must approve any exceptions if needed in consultation with the department's legal counsel. The private interests of a spouse, minor child, or household member are considered as private interests of department staff. Staff shall not participate in the selection, award, or administration of any contract supported by state or federal funds if a conflict of interest exists. This includes a staff member's immediate family or spouse.

Employment outside the department

All employees, full, part time or temporary, shall not work or volunteer (for entities such as local boards, commissions or committees) outside the department during work hours compensated for by the state. This does not include annual leave and compensatory time taken. Staff shall not work or volunteer outside the department when such employment is incompatible or interferes with properly carrying out their official duties, or would tend to impair their independence, judgment, or action at work. No department resources will be used for the benefit of outside employment or volunteer work. Uniforms and clothing bearing DNR identification or insignia shall not be worn while performing duties for outside employment or volunteer work. Department procedures and policies shall not be by-passed in order to perform the duties of secondary employment or volunteer work.

To request permission to work or volunteer outside of the department complete Attachment 1 and submit it to your immediate supervisor. There are two possible routes for approval of employment or volunteer work outside the department:

For jobs that clearly do not appear to present a conflict of interest such as working the family farm or retail, the employee completes the request and submits it to his/her immediate supervisor for consideration and approval/denial. If the immediate supervisor approves the request, the employee may begin that work outside of

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the department. The supervisor forwards the approved request through the chain of command to the division director for final review and concurrence. The request is then forwarded to the Human Resources Program to be filed in the employee's official file. A copy will be provided to the employee and immediate supervisor.

For those jobs that are not as clear cut, such as consulting, or serving on a local board or commission the request is reviewed through the chain of command to the division director or designee for consideration and approval/denial. If the request is approved, the original signed request is maintained in the employee's official file in the Human Resources Program. A copy will be provided to the employee, immediate supervisor, program director or district supervisor and division director or designee. If a request is denied at any time, it will be returned to the employee with a brief explanation for the denial.

If the Department has denied the request for secondary employment or volunteer work, either the employee or appointing authority may contact the Personnel Advisory Board for a determination regarding the Department's decision. The Personnel Advisory Board can be contacted at Room 430 Truman Building, P.O. Box 388, Jefferson City, MO 65102 (573) 751-4162, or online at <http://oa.mo.gov/personnel/personnel-advisory-board>. If the department had denied the request but the board felt the outside work is appropriate, the employee may resubmit the request including the board's opinion, to his/her supervisor.

Staff will submit another Request for Employment Outside the Department form to indicate major changes in outside employment or volunteer work such as:

- the duties of outside employment significantly change.
- the outside employers type of business, clients or services significantly change.
- unforeseen conflict arises after receiving approval.

Approval to work outside the department is for a maximum duration of twelve (12) months from the date of approval. However, all approvals for work outside of the department expire on June 30 and must be renewed for the upcoming fiscal year by submitting a new request. At the beginning of each fiscal year, the Human Resources Program will provide a list to the department director detailing what employees have received approval to work outside the department for his/her concurrence.

The Request For Permission To Work Outside The Department word fill-in form can also be found on the department's intranet on the forms page <http://n-nr1ntra.ads.state.mo.us/forms/default.htm> in the Employee Relations Category.

Questions concerning this policy should go first to an individual's supervisor, then through the chain of command. The Human Resources Director or the Employee Relations Director may also be of assistance in interpreting the Conduct and Ethics Policy.



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The department's legal counsel will provide advice and assistance to the department director, deputy directors, division directors and the appointing authority concerning this policy. The appointing authority will answer questions and resolve issues concerning this policy in consultation with legal counsel.



MISSOURI DEPARTMENT OF NATURAL RESOURCES
HUMAN RESOURCES PROGRAM
REQUEST FOR PERMISSION TO WORK OUTSIDE THE DEPARTMENT

☐ ORIGINAL REQUEST ☐ RENEWAL ☐ CHANGE TO ORIGINAL REQUEST

GENERAL INFORMATION

Date	Name	
Home or Mailing Address		
City	State	Zip Code

POSITION INFORMATION

DNR Position	Division
Program/District	Section/Park or Site
Unit/Work Assignment	

2nd EMPLOYMENT INFORMATION

Outside Employer Name
Nature of Business
Location (City)
Description of Job

***Use as much space as necessary to fully answer each question.
If you need more space, please use a separate piece of paper.***

Is this employer contracted, licensed, regulated or audited by DNR? ☐ Yes ☐ No
If yes, explain

Does this job relate to any work you currently do for the department? ☐ Yes ☐ No

If yes, explain

Could this position impair your independence or judgment at your position with the department? ☐ Yes ☐ No

If yes, explain

EMPLOYEE ACKNOWLEDGEMENT

By signing this form, I understand and agree that my employment with DNR is primary and I will fulfill my job requirements (including on-call or overtime) regardless of my outside employment work schedule. I also understand the following.

1. I will not perform duties for my outside employment in any manner while on duty with the Department of Natural Resources.
 2. I will not use any DNR resources for the benefit of my outside employment.
 3. Uniforms and clothing bearing DNR identification or insignia shall not be worn while performing duties for my outside employment.
 4. Standard department procedures and policies shall not be by-passed in order to perform the duties of my secondary employment.
- and
5. My outside employment cannot be incompatible with my position in the department nor interfere with properly carrying out official duties, or impair independence, judgment or action at work with the department.

Another Request for Employment Outside the Department form must be submitted to indicate major alterations in outside employment such as:

- the duties of outside employment significantly change.
- the outside employers type of business, clients or services significantly change.
- unforeseen conflict arises after receiving outside employment approval.

Approval to work outside the department is for a maximum duration of twelve (12) months from the date of approval. Each year, a request to renew the approval must be submitted to your supervisor.

The Department of Natural Resources may revoke this approval should a conflict of interest develop. Should revocation be necessary, reasonable time will be given to allow you to end your outside employment.

Employees Signature

Date

